UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/693,321	10/19/2000	Mohamed M. Abdelaziz	5181-57700	8845

58467   7590   12/15/2009
MHKKG/SUN
P.O. BOX 398
AUSTIN, TX 78767

EXAMINER
DESAI, RACHNA SINGH

ART UNIT	PAPER NUMBER
2176	

NOTIFICATION DATE	DELIVERY MODE
12/15/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patent_docketing@intprop.com
ptomhkkg@gmail.com

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *29 September 2006*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-8,12-17,19-22, 24-27, 30-40, 42-48, and 52-57* is/are pending in the application.
  4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,3-8,12-17,19-22,24-27,30-40,42-48 and 52-57* is/are rejected.
7)☐ Claim(s) *10,11,23,28,29,41,50 and 51* is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  a)☐ All   b)☐ Some * c)☐ None of:
    1.☐ Certified copies of the priority documents have been received.
    2.☐ Certified copies of the priority documents have been received in Application No. _____.
    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Amendments filed on 09/29/06.

2.   Claims 1, 33-8, 10-17, 19-48, and 50-57 are pending. Claims 1, 24, 42, 46, and

48 are independent claims.

3.   Appellant filed a reply on 09/29/06 in response to the new ground of rejection

presented in the Examiner's answer dated 7/26/06. This action is responsive to

Appellant's amendments and remarks filed in the 09/29/06 response.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5.   **Claims 1, 6-7, 13-17, 20-22, 24, 31-35, 37-40, 48, and 53-56 are rejected**

under 35 U.S.C. 102(e) as being anticipated by <u>Ballantyne et al.</u>, US 6,687,873 B1,

2/3/04 (filed 3/9/00).

Regarding claim 1, Ballantyne teaches a method and system of outputting

report data in XML format using an XML schema which meets the preamble, *a method*

for presenting results data in a distributed computing environment. See abstract,

columns 2, lines 43-67 and column 3, lines 1-40.

Ballantyne discloses a code generation system for generating report data to be

delivered to a client such as a telephone customer which meets the limitation, *a service*

in a distributed computing environment generating results data for a client in the

distributed computing environment. See abstract, figure 1, system 14, column 6,

lines 10-67 and column 7. See also column 2, lines 43-67; column 3, lines 1-40; and

column 4, lines 1-15. A service is an entity that can be used by a person, program, or

another service as described on page 4 of the specification. In this case, Ballantyne's

code generation system is a "service" in that it is used by a program to generate results

data or report data based on incident reports retrieved from a legacy computer system.

Ballantyne teaches two different computer systems, a legacy computer system

and a code generation system which are used to output data into XML format. The

legacy computer system accesses XML schema from a code generation system (i.e.

service) which meets the portion of the limitation, *a data presentation process*

accessing a presentation schema in the distributed computing environment,

wherein the presentation is provided by the service. . . wherein the data

presentation process and the service execute on separate devices in the

distributed computing environment. Specifically, a code generation system (system

14 in figure 1) interfaces with a legacy computer system (system 12 in figure 1) in order

to output the data in an XML format. The code generation system includes a mapping

engine and modeling engine. The modeling engine interfaces with the legacy system

and provides report data model identifying report incidents in the legacy system to a

mapping engine which maps the incidents from the report data model to the XML

schema. By establishing this relationship between the report data model and the XML

schema, the mapping engine of the code generation system defines a specification for

modification of the legacy program applications to output the XML data which meets the

limitation, *wherein the presentation schema includes information for presenting*

results data for clients in the distributed computing environment. *Examiner note:*

An XML schema is a presentation schema because it describes how to present report

data for a client. See column 6, lines 10-67 through column 8.

Ballantyne teaches the code generation system generates a modification

specification in conjunction with an XML schema that defines the data structure for write

instructions of the modified legacy program applications to output XML data. The

modification specification is used to generate modified legacy code to run on the legacy

computer system where the modified legacy code is run so that the program

applications emit output from the legacy system in XML format which meets the

limitation, *the data presentation process accessing the results data; and*

the data presentation process presenting the results data for the client in

accordance with the information from the presentation schema. See column 6 and

column 7, lines 1-67.

In reference to claims 6-7, in column 17, lines 15+, Ballantyne discloses that internal reports otherwise printed on paper for manual inspection are instead available for **storage on a database** in XML format. Once electronically stored, the reports are available as electronic information assets for review by a browser or other electronic analysis. Different business applications related to e-commerce such Bill Presentment and Payment allow the client to **access results data** that is electronically stored in a database. See columns 17-18. These teachings meet the limitation of claim 6 reciting, ***said generating the results data comprises the service storing the results data on a results space in the distributed computing environment*** and claim 7 reciting, ***wherein said accessing results data for a client in the distributed computing environment comprises accessing the results from the results space.***

In reference to claim 13, Ballantyne teaches that the results data can be presented in visual format for display on a display device which meets the limitation, ***the information for presenting results data in the presentation schema includes information to facilitate the presentation of results data to the client in a visual format..*** See columns 17-18.

In reference to claim 14, Ballantyne teaches that the results data can be presented in visual format for display on a display device which meets the limitation, ***the information for presenting results data in the presentation schema includes***

information to facilitate the display of results data to the client on a display

interface. See columns 17-18.

In reference to claim 15, Ballantyne teaches the use of a presentation schema

in the form of XML schema wherein the schema can comprise presentation

characteristics of data elements which meets the limitation, *wherein the results data*

comprises a plurality of data elements, and wherein the presentation schema

comprises a plurality of presentation elements each including information

describing presentation characteristics of one or more of the plurality of data

elements. See columns 6-8. The user may also modify the schema.

In reference to claim 16, Ballantyne discloses using XML schema which

comprises a plurality of presentation elements. Ballantyne's system comprises a

hierarchy of the XML schema wherein the depth of the element corresponds to its

position in the tree structure. See figure 7 and 7A-7B and column 11. The tree

structure of the XML schema can be used to access and display data elements by

traversing the tree. Ballantyne teaches accessing a first presentation elements and

locating one or more data elements within which meets the limitation, *information for*

locating one or more data elements associated with the presentation element,

wherein said presenting the results data for the client comprises: accessing a

first presentation element in the plurality of presentation elements; accessing one

or more data elements associated with the first presentation element in

accordance with the information for locating the one or more data elements

included in the first presentation element. Ballantyne's system comprises a

hierarchy of the XML schema wherein the depth of the element corresponds to its

position in the tree structure. See figures 7-7B and column 11. The tree structure of the

XML schema can be used to access and display data elements by traversing the tree

which meets the limitation, *presenting the one or more data elements for the client*

in accordance with the information describing the presentation characteristics of

the one or more data elements included in the first presentation element. See

columns 11-12.

In reference to claim 17, Ballantyne teaches repeatedly accessing the data

elements in the tree structure of the schema which meets the limitation, *repeating said*

accessing a first presentation element, said accessing one or more data

elements, and said presenting the one or more data elements for each of the

plurality of presentation elements. See columns 11-12.

In reference to claim 20, Ballantyne teaches producing reporting data in XML

format for delivery to a client via an email link, web-site, or at a bill consolidator which

meets the limitation *a client receiving the results data from the service*. See

columns 1-2. Ballantyne further teaches a client can click on a link in an e-mail to

request the results or report data for viewing which meets the limitation *the client*

providing the results data to the data presentation process. See column 17 where

Ballantyne discloses a request to receive a telephone bill from a telephone customer.

        In reference to claim 21, Ballantyne teaches producing reporting data in XML

format for delivery to a client via an email link, web-site, or at a bill consolidator which

meets the limitation ***a client receiving information for accessing results data***. See

columns 1-2. Ballantyne further teaches a client can click on a link in an e-mail to

request the results or report data for viewing which meets the limitation ***the client***

providing the information for accessing the results data to the data presentation

process. See column 17 where Ballantyne discloses a request to receive a telephone

bill from a telephone customer.

        In reference to claim 22, Ballantyne teaches producing reporting data in XML

format using an XML schema based on a client request where a client clicks on an

email link which meets the limitation ***a client receiving information for accessing the***

presentation schema. See columns 1-2 and 17. Ballantyne further teaches a client

can click on a link in an e-mail to request the results or report data for viewing which

meets the limitation ***the client providing the information for accessing the***

presentation schema to the data presentation process. See column 17 where

Ballantyne discloses a request to receive a telephone bill from a telephone customer.

        Claims 24 and 31-34 are rejected under the same rationale used in claims 1, 14,

16, and 17 respectively above.

Regarding claim 35, Ballantyne discloses a data presentation system for accessing report data for a client and presenting the results data by the data presentation system which meets the limitation, ***accessing results data for a client in the distributed computing environment, and said presenting the results data are performed by the data presentation process.*** See column 6, lines 10-67 through column 8.

In reference to claim 37, Ballantyne teaches that the client's device can include a display which meets the limitation, ***the first device comprises a data presentation device.*** See column 17 and 18.

In reference to claim 38, claim 38 is rejected under the same rationale used in claim 20 above.

In reference to claim 39, claim 39 is rejected under the same rationale used in claim 21 above.

In reference to claim 40, claim 40 is rejected under the same rationale used in claim 22 above.

Claim 48 is rejected under the same rationale used in claim 1 above.

Claims 53-56 are rejected under the same rationale used in claims 14, 15, 16,

and 17 respectively above.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 3-5, 19, 25-26, 36, 46-47, and 57are rejected under 35 U.S.C. 103(a)**

as being unpatentable over <u>Ballantyne et al.</u>, US 6,687,873 B1, 2/3/04 (filed 3/9/00)

in view of <u>Merrick et al.</u>, US 2005/0166209 A1, 07/28/05 (filed on 12/03/04,

continuation filed on 03/23/09).

In reference to claim 3, Ballantyne teaches a user can request information such

as billing statements or invoices by clicking on a web link within an email which results

in the outputting of a bill which meets the portion of the limitation, ***wherein said***

generating the results data is performed in response to the client sending a

request message. . . wherein the request message requests the service to

perform a function on behalf of the client, and wherein the function generates the

results data when performed by the service. See column 17, lines 35-67. Clicking

on a web link is sending a request message to the service to perform some function, in

this case displaying a bill, for the client from the legacy system.

Ballantyne does not expressly state the request message is in a data

representation language. However, Merrick teaches receiving a request message in

XML which meets the limitation, *the request message is in a data representation*

language. See figure 1 and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different

vendors in a format that did not require software from one vendor to be installed in

another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 4, Ballantyne does not expressly state the data

representation language is XML. However, Merrick teaches receiving a request

message in XML which meets the limitation, *the data representation language is*

XML. See figure 1 and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different vendors in a format that did not require software from one vendor to be installed in another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 5, Ballantyne does not expressly state the results data is in a data representation language. However, Merrick teaches receiving a request message in XML which meets the limitation, *said accessing the results data from the service in one or more messages in a data presentation language*. See figure 1 and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to send XML based request messages to a server from a client, as suggested by Merrick, within the system of Ballantyne because it was desirable at the time of the invention to provide a means for transmitting messages from two different vendors in a format that did not require software from one vendor to be installed in another vendor. See page 4, paragraphs [0028]-[0039].

Claims 25-26 are rejected under the same rationale used in claims 3-4 respectively above.

Claim 36 is rejected under the same rationale used in claim 3 above.

In reference to claim 19, Ballantyne's system can take place over a network; however, Ballantyne does not expressly teach the client executes in one device and the data presentation device executes in a second device.

Merrick discloses a client machine and a server machine for transmitting reply messages in a network environment which meets the limitation, *wherein the client is executing within a first device in the distributed computing environment and the data presentation process is executing within a second device in the distributed computing environment*. See figure 1, page 4, paragraph [0037]-[0039] and page 7, paragraph [0077].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to send XML based request messages to a server from a client, as suggested by Merrick, within the system of Ballantyne because it was desirable at the time of the invention to provide a means for transmitting messages from two different vendors in a format that did not require software from one vendor to be installed in another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 46, Ballantyne teaches a system for reporting data from a legacy computer system which meets the claimed *device, comprising: a data presentation component*. See abstract. Ballantyne discloses **a client** is presented results data as in column 17, lines 25-67. Ballantyne further teaches a means to access an XML schema provided by the legacy computer system (i.e. service) where the XML schema determines how to output data from the legacy computer application in

XML format which meets the limitation *access a presentation schema provided by a*

service in a distributed computing environment, wherein the presentation schema

includes information for presenting results data generated by the service. See

columns 3-4; column 5; column 6, lines 27-67. A service is an entity that can be used

by a person, program, or another service as described on page 4 of the specification.

Legacy computer systems are used to output reports such as telephone bills. See

column 1, lines 23-67 and column 2. Legacy systems are used by business enterprises

to output data. See column 3, lines 28-40 and column 4, lines 12-15. Thus a "legacy

computer system" used by a business is a "service" because it is an entity used by a

person or a program. The legacy computer system outputs report data to a customer

which meets the *access the results data generated by the service*. See columns 5-6

and 17. Ballantyne teaches outputting the XML formatted data using the XML schema

generated from the legacy system which meets the limitation *presenting the results*

data on the data presentation component in accord with the information in the

presentation schema for the results data.. See columns 17-18. Ballantyne's system

comprises a service in the computing environment that generates results data (such as

invoices, billing statements) prior to accessing the report data. Ballantyne teaches that

businesses with legacy computer systems may output XML formatted reports that allow

the business to take advantage of advances taking place in e-commerce, such as

automatic bill payment. For instance, telephone customers could receive their

telephone bill by email containing a web link to a site providing bill detail. See column

17, lines 37-52. The telephone customers are client and the service is the automatic bill payment provided by the business.

Ballantyne does not expressly teach the client component and service execute on separate devices in a distributed computing environment; however, Merrick discloses a client machine and a server machine for transmitting reply messages in a network environment which meets the limitation, *a client component. . .the client component and the service execute on separate devices in the distributed computing environment*. See figure 1, page 4, paragraph [0037]-[0039] and page 7, paragraph [0077].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to send XML based request messages to a server from a client, as suggested by Merrick, within the system of Ballantyne because it was desirable at the time of the invention to provide a means for transmitting messages from two different vendors in a format that did not require software from one vendor to be installed in another vendor. See page 4, paragraphs [0028]-[0039].

Regarding claim 47, Ballantyne teaches a user can request information such as billing statements or invoices by clicking on a web link within an email which results in the outputting of a bill which meets the portion of the limitation, *wherein said client component is further configured to send a message to the service requesting the results data, wherein the service is operable to generate the results data for the client in response to receiving the message*. See column 17, lines 35-67. Clicking

on a web link is sending a request message to the service to perform some function, in this case displaying a bill, for the client from the legacy system.

Claim 57 is rejected under the same rationale used in claim 19 above.

8.   **Claims 8, 27, and 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Ballantyne et al.</u>, US 6,687,873 B1, 2/3/04 (filed 3/9/00).**

In reference to claims 8 and 27, Ballantyne teaches providing results data in the form of XML to a display device. The XML data may comprise invoices, billing statements, or any other type of report data including advertisement. Ballantyne discloses providing a results advertisement where the advertisement includes information for enabling access of the results data when he discloses sending an email from the service provider such as a telephone company with a link to a bill which meets the limitation, ***providing a results advertisement for the results data stored on the results space, wherein the results advertisement includes information for enabling access of the results data.*** See column 17. Ballantyne teaches providing report data to a display device, where a user can then access results data (i.e. billing statements) which meets the limitation, ***accessing the results data from the results space in accordance with the results advertisement***.

Although Ballantyne does not expressly use the term "advertisements", the term "report data" could comprise an advertisement so long as it "advertises" a company. In

this case sending an email from a telephone company comprising a link to a bill could

be interpreted as an "advertisement" because it is naming the company which is

advertising a company. This is a "commercial advertisement" so long as a company's

name appears on the document. Further, an email sent by a company includes a link

providing access to the report data is enabling access to the results data. Moreover,

one of ordinary skill in the art would recognize that an XML schema could be used to

describe any number of output presentations in XML format including invoices and

advertisements, thus it would have been obvious to one of ordinary skill in the art at the

time of the invention to produce advertisements as "result data" since XML schema is

used to produce XML formatted data. See column 17.

In reference to claim 42, Ballantyne discloses a **storage device** and **a server**

device. See figure 1.

Ballantyne discloses a code generation system for generating report data to be

delivered to a client such as a telephone customer which meets the limitation, ***a service***

device configured to: provide a presentation schema; store the presentation

schema on the storage device; and produce results data on behalf of a client in

the distributed computing system. See abstract, figure 1, system 14, column 6, lines

10-67 and column 7. See also column 2, lines 43-67; column 3, lines 1-40; and column

4, lines 1-15. A service is an entity that can be used by a person, program, or another

service as described on page 4 of the specification. In this case, Ballantyne's code

generation system is a "service" in that it is used by a program to generate results data

or report data based on incident reports retrieved from a legacy computer system.

Ballantyne teaches two different computer systems, a legacy computer system

and a code generation system which are used to output data into XML format. The

legacy computer system accesses XML schema from a code generation system (i.e.

service) which meets the portion of the limitation, **wherein the presentation schema**

includes information for enabling access to a presentation schema for presenting

results data. Specifically, a code generation system (system 14 in figure 1) interfaces

with a legacy computer system (system 12 in figure 1) in order to output the data in an

XML format. The code generation system includes a mapping engine and modeling

engine. The modeling engine interfaces with the legacy system and provides report

data model identifying report incidents in the legacy system to a mapping engine which

maps the incidents from the report data model to the XML schema. By establishing this

relationship between the report data model and the XML schema, the mapping engine

of the code generation system defines a specification for modification of the legacy

program applications to output the XML data. *Examiner note: An XML schema is a*

presentation schema because it describes how to present report data for a client. See

column 6, lines 10-67 through column 8.

Although Ballantyne does not expressly use the term "advertisements", the term

"report data" could comprise an advertisement. Ballantyne teaches providing results

data in the form of XML to a display device. The XML data may comprise invoices,

billing statements, or any other type of report data including advertisement. Ballantyne

teaches providing report data to a display device, where a user can then access results

data (i.e. billing statements). Although Ballantyne does not state "advertisements", the

term "report data" could comprise an advertisement so long as it "advertises" a

company. In this case sending an email from a telephone company comprising a link to

a bill could be interpreted as an "advertisement" because it is naming the company

which is advertising a company. This is a "commercial advertisement" so long as a

company's name appears on the document. Further, an email sent by a company

includes a link providing access to the report data is enabling access to the results data.

Moreover, one of ordinary skill in the art would recognize that an XML schema could be

used to describe any number of outputs in XML format including invoices and

advertisements, thus it would have been obvious to one of ordinary skill in the art at the

time of the invention to produce advertisements as "result data" since and XML schema

can be used to produce XML formatted data. See column 17.

     In reference to claim 43, Ballantyne teaches that the service device can

generate report data upon receiving a request for the report data which meets the

limitation, ***wherein the service device is configured to generate the results data for***

the client in response to receiving a request for the results data. See columns 17-

18.

In reference to claim 44, Ballantyne teaches outputting the XML data on a display device which is a "space". See columns 1-2. The results data would be outputted to a "space" in a computing environment.

In reference to claim 45, Ballantyne teaches outputting the XML data on a display device. The results data would be outputted to a "space" in a computing environment.

9.   **Claims 12, 30, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claims 8, 10, 27-28, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over** <u>Ballantyne et al.</u>**, US 6,687,873 B1, 2/3/04 (filed 3/9/00) in view of** <u>Sravanapudi et al.</u>**, US 2001/0049603 A1, 12/6/01 (filed 3/8/01, provisional 3/10/00).**

In reference to claims 12, 30, and 52, Ballantyne does not teach the presentation of report data in an audio format; however, Sravanapudi teaches a multimodal information system in which information can be delivered in a variety of formats including audio. See pages 1-3. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Sravanapudi's audio presentation of result information in the system of Ballantyne since it allows a user to be reached via multiple channels and also allows the user to listen to the data through a sound system.

See page 1 of Sravanapudi. Sravanapudi also teaches utilizing Voice XML as a means

for rendering the data as audio. It would have been obvious to utilize Voice XML in

Ballantyne's XML output presentation as it is a form of the representation language

used. See page 5 of Sravanapudi.

ALTERNATIVE GROUND(S) OF REJECTION

Although the Office still maintains the 102 rejections, proffered in the

rejections above. In order to further prosecution in light of Applicant's

arguments, the Office is providing an alternative rejection under 103(a) using an

alternative interpretation asserted by Applicant with regards to the term

"service".

Claim Rejections - 35 USC § 103

10.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

11.   Claims 1, 6-8, 13-17, 20-22, 24, 27, 31-35, 37-40, 42-45, 48, and 53-56 are

rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Ballantyne et al.</u>, US

6,687,873 B1, 2/3/04 (filed 3/9/00).

Regarding claim 1, Ballantyne teaches a method and system of outputting

report data in XML format using an XML schema which meets the preamble, *a method*

for presenting results data in a distributed computing environment. See abstract,

columns 2, lines 43-67 and column 3, lines 1-40.

Ballantyne discloses a code generation system for generating report data to be

delivered to a client such as a telephone customer which meets the limitation, *a service*

in a distributed computing environment generating results data for a client in the

distributed computing environment. See abstract, figure 1, system 14, column 6,

lines 10-67 and column 7. See also column 2, lines 43-67; column 3, lines 1-40; and

column 4, lines 1-15. A service is an entity that can be used by a person, program, or

another service as described on page 4 of the specification. In this case, Ballantyne's

code generation system is a "service" in that it is used by a program to generate results

data or report data based on incident reports retrieved from a legacy computer system.

Ballantyne teaches two different computer systems, a legacy computer system

and a code generation system which are used to output data into XML format. The

legacy computer system accesses XML schema from a code generation system (i.e.

service) which meets the portion of the limitation, *a data presentation process*

accessing a presentation schema in the distributed computing environment,

wherein the presentation is provided by the service. . . wherein the data

presentation process and the service execute on separate devices in the

distributed computing environment. Specifically, a code generation system (system

14 in figure 1) interfaces with a legacy computer system (system 12 in figure 1) in order

to output the data in an XML format. The code generation system includes a mapping

engine and modeling engine. The modeling engine interfaces with the legacy system

and provides report data model identifying report incidents in the legacy system to a

mapping engine which maps the incidents from the report data model to the XML

schema. By establishing this relationship between the report data model and the XML

schema, the mapping engine of the code generation system defines a specification for

modification of the legacy program applications to output the XML data which meets the

limitation, *wherein the presentation schema includes information for presenting*

results data for clients in the distributed computing environment. *Examiner note:*

An XML schema is a presentation schema because it describes how to present report

data for a client. See column 6, lines 10-67 through column 8.

Ballantyne teaches the code generation system generates a modification

specification in conjunction with an XML schema that defines the data structure for write

instructions of the modified legacy program applications to output XML data. The

modification specification is used to generate modified legacy code to run on the legacy

computer system where the modified legacy code is run so that the program

applications emit output from the legacy system in XML format which meets the

limitation, *the data presentation process accessing the results data; and*

the data presentation process presenting the results data for the client in

accordance with the information from the presentation schema. See column 6 and

column 7, lines 1-67.

Although Ballantyne does not expressly utilize the term a "service", a skilled

artisan would be cognizant of the fact that a computer system producing report data for

delivery to a customer such as a telephone customer is a service because a service is

an entity that can be used by a person, program, or another service as described on

page 4 of the specification. See column 2, lines 43-67; column 3, lines 1-40; and

column 4, lines 1-15. See also columns 6-7. The code generation computer systems

are used to output reports via a legacy computer system such as telephone bills. See

column 1, lines 23-67 and column 2. Systems are used by business enterprises to

output data. See column 3, lines 28-40 and column 4, lines 12-15. Thus a "code

generation system" used by a business to output reports via a legacy computer is a

"service" because it is an entity used by a person or a program. Ballantyne teaches that

businesses with legacy and code generation computer systems may output XML

formatted reports that allow the business to take advantage of advances taking place in

e-commerce, such as automatic bill payment. For instance, telephone customers could

receive their telephone bill by email containing a web link to a site providing bill detail.

See column 17, lines 37-52. The telephone customers are client and the service is the

automatic bill payment provided by the code generation and legacy computer systems.

In reference to claims 6-7, in column 17, lines 15+, Ballantyne discloses that

internal reports otherwise printed on paper for manual inspection are instead available

for **storage on a database** in XML format. Once electronically stored, the reports are

available as electronic information assets for review by a browser or other electronic

analysis. Different business applications related to e-commerce such Bill Presentment

and Payment allow the client to **access results data** that is electronically stored in a

database. See columns 17-18. These teachings meet the limitation of claim 6 reciting,

said generating the results data comprises the service storing the results data on

a results space in the distributed computing environment and claim 7 reciting,

wherein said accessing results data for a client in the distributed computing

environment comprises accessing the results from the results space.

In reference to claim 8, Ballantyne teaches providing results data in the form of

XML to a display device. The XML data may comprise invoices, billing statements, or

any other type of report data including advertisement. Ballantyne discloses providing a

results advertisement where the advertisement includes information for enabling access

of the results data when he discloses sending an email from the service provider such

as a telephone company with a link to a bill which meets the limitation, ***providing a***

results advertisement for the results data stored on the results space, wherein

the results advertisement includes information for enabling access of the results

data. See column 17. Ballantyne teaches providing report data to a display device,

where a user can then access results data (i.e. billing statements) which meets the

limitation, ***accessing the results data from the results space in accordance with***

the results advertisement.

Although Ballantyne does not expressly use the term "advertisements", the term

"report data" could comprise an advertisement so long as it "advertises" a company. In

this case sending an email from a telephone company comprising a link to a bill could

be interpreted as an "advertisement" because it is naming the company which is

advertising a company. This is a "commercial advertisement" so long as a company's

name appears on the document. Further, an email sent by a company includes a link

providing access to the report data is enabling access to the results data. Moreover,

one of ordinary skill in the art would recognize that an XML schema could be used to

describe any number of output presentations in XML format including invoices and

advertisements, thus it would have been obvious to one of ordinary skill in the art at the

time of the invention to produce advertisements as "result data" since XML schema is

used to produce XML formatted data. See column 17.

In reference to claims 13 and 14, Ballantyne teaches that the results data can

be presented in visual format for display on a display device. See columns 17-18.

In reference to claim 15, Ballantyne teaches the use of a presentation schema

in the form of XML schema wherein the schema can comprise presentation

characteristics of data elements which meets the limitation, ***wherein the results data***

comprises a plurality of data elements, and wherein the presentation schema

comprises a plurality of presentation elements each including information

describing presentation characteristics of one or more of the plurality of data

elements. See columns 6-8. The user may also modify the schema.

In reference to claim 16, Ballantyne discloses using XML schema which comprises a plurality of presentation elements. Ballantyne's system comprises a hierarchy of the XML schema wherein the depth of the element corresponds to its position in the tree structure. See figure 7 and 7A-7B and column 11. The tree structure of the XML schema can be used to access and display data elements by traversing the tree. Ballantyne teaches accessing a first presentation elements and locating one or more data elements within which meets the limitation, *information for locating one or more data elements associated with the presentation element, wherein said presenting the results data for the client comprises: accessing a first presentation element in the plurality of presentation elements; accessing one or more data elements associated with the first presentation element in accordance with the information for locating the one or more data elements included in the first presentation element.* Ballantyne's system comprises a hierarchy of the XML schema wherein the depth of the element corresponds to its position in the tree structure. See figures 7-7B and column 11. The tree structure of the XML schema can be used to access and display data elements by traversing the tree which meets the limitation, *presenting the one or more data elements for the client in accordance with the information describing the presentation characteristics of the one or more data elements included in the first presentation element.* See columns 11-12.

In reference to claim 17, Ballantyne teaches repeatedly accessing the data elements in the tree structure of the schema which meets the limitation, *repeating said accessing a first presentation element, said accessing one or more data elements, and said presenting the one or more data elements for each of the plurality of presentation elements.* See columns 11-12.

In reference to claim 20, Ballantyne teaches producing reporting data in XML format for delivery to a client via an email link, web-site, or at a bill consolidator which meets the limitation *a client receiving the results data from the service.* See columns 1-2. Ballantyne further teaches a client can click on a link in an e-mail to request the results or report data for viewing which meets the limitation *the client providing the results data to the data presentation process.* See column 17 where Ballantyne discloses a request to receive a telephone bill from a telephone customer.

In reference to claim 21, Ballantyne teaches producing reporting data in XML format for delivery to a client via an email link, web-site, or at a bill consolidator which meets the limitation *a client receiving information for accessing results data.* See columns 1-2. Ballantyne further teaches a client can click on a link in an e-mail to request the results or report data for viewing which meets the limitation *the client providing the information for accessing the results data to the data presentation process.* See column 17 where Ballantyne discloses a request to receive a telephone bill from a telephone customer.

In reference to claim 22, Ballantyne teaches producing reporting data in XML

format using an XML schema based on a client request where a client clicks on an

email link which meets the limitation *a client receiving information for accessing the*

presentation schema. See columns 1-2 and 17. Ballantyne further teaches a client

can click on a link in an e-mail to request the results or report data for viewing which

meets the limitation *the client providing the information for accessing the*

presentation schema to the data presentation process. See column 17 where

Ballantyne discloses a request to receive a telephone bill from a telephone customer.

Claims 24, 27 and 31-34 are rejected under the same rationale used in claims 1,

8, 14, 16, and 17 respectively above.

Regarding claim 35, Ballantyne discloses a data presentation system for

accessing report data for a client and presenting the results data by the data

presentation system which meets the limitation, *accessing results data for a client in*

the distributed computing environment, and said presenting the results data are

performed by the data presentation process. See column 6, lines 10-67 through

column 8.

In reference to claim 37, Ballantyne teaches that the client's device can include

a display which meets the limitation, ***the first device comprises a data presentation***

device. See column 17 and 18.

In reference to claim 38, claim 38 is rejected under the same rationale used in

claim 20 above.

In reference to claim 39, claim 39 is rejected under the same rationale used in

claim 21 above.

In reference to claim 40, claim 40 is rejected under the same rationale used in

claim 22 above.

In reference to claim 42, Ballantyne discloses a **storage device** and **a server**

device. See figure 1.

Ballantyne discloses a code generation system for generating report data to be

delivered to a client such as a telephone customer which meets the limitation, ***a service***

device configured to: provide a presentation schema; store the presentation

schema on the storage device; and produce results data on behalf of a client in

the distributed computing system. See abstract, figure 1, system 14, column 6, lines

10-67 and column 7. See also column 2, lines 43-67; column 3, lines 1-40; and column

4, lines 1-15. A service is an entity that can be used by a person, program, or another

service as described on page 4 of the specification. In this case, Ballantyne's code

generation system is a "service" in that it is used by a program to generate results data

or report data based on incident reports retrieved from a legacy computer system.

Ballantyne teaches two different computer systems, a legacy computer system

and a code generation system which are used to output data into XML format. The

legacy computer system accesses XML schema from a code generation system (i.e.

service) which meets the portion of the limitation, ***wherein the presentation schema***

includes information for enabling access to a presentation schema for presenting

results data. Specifically, a code generation system (system 14 in figure 1) interfaces

with a legacy computer system (system 12 in figure 1) in order to output the data in an

XML format. The code generation system includes a mapping engine and modeling

engine. The modeling engine interfaces with the legacy system and provides report

data model identifying report incidents in the legacy system to a mapping engine which

maps the incidents from the report data model to the XML schema. By establishing this

relationship between the report data model and the XML schema, the mapping engine

of the code generation system defines a specification for modification of the legacy

program applications to output the XML data. *Examiner note: An XML schema is a*

presentation schema because it describes how to present report data for a client. See

column 6, lines 10-67 through column 8.

Although Ballantyne does not expressly utilize the term a "service", a skilled

artisan would be cognizant of the fact that a computer system producing report data for

delivery to a customer such as a telephone customer is a service because a service is

an entity that can be used by a person, program, or another service as described on

page 4 of the specification. See column 2, lines 43-67; column 3, lines 1-40; and

column 4, lines 1-15. See also columns 6-7. The code generation computer systems

are used to output reports via a legacy computer system such as telephone bills. See

column 1, lines 23-67 and column 2. Systems are used by business enterprises to

output data. See column 3, lines 28-40 and column 4, lines 12-15. Thus a "code

generation system" used by a business to output reports via a legacy computer is a

"service" because it is an entity used by a person or a program. Ballantyne teaches that

businesses with legacy and code generation computer systems may output XML

formatted reports that allow the business to take advantage of advances taking place in

e-commerce, such as automatic bill payment. For instance, telephone customers could

receive their telephone bill by email containing a web link to a site providing bill detail.

See column 17, lines 37-52. The telephone customers are client and the service is the

automatic bill payment provided by the code generation and legacy computer systems.

Although Ballantyne does not expressly use the term "advertisements", the term

"report data" could comprise an advertisement. Ballantyne teaches providing results

data in the form of XML to a display device. The XML data may comprise invoices,

billing statements, or any other type of report data including advertisement. Ballantyne

teaches providing report data to a display device, where a user can then access results

data (i.e. billing statements). Although Ballantyne does not state "advertisements", the

term "report data" could comprise an advertisement so long as it "advertises" a

company. In this case sending an email from a telephone company comprising a link to

a bill could be interpreted as an "advertisement" because it is naming the company

which is advertising a company. This is a "commercial advertisement" so long as a

company's name appears on the document. Further, an email sent by a company

includes a link providing access to the report data is enabling access to the results data.

Moreover, one of ordinary skill in the art would recognize that an XML schema could be

used to describe any number of outputs in XML format including invoices and

advertisements, thus it would have been obvious to one of ordinary skill in the art at the

time of the invention to produce advertisements as "result data" since and XML schema

can be used to produce XML formatted data. See column 17.

In reference to claim 43, Ballantyne teaches that the service device can

generate report data upon receiving a request for the report data which meets the

limitation, ***wherein the service device is configured to generate the results data for***

the client in response to receiving a request for the results data. See columns 17-

18.

In reference to claim 44, Ballantyne teaches outputting the XML data on a

display device which is a "space". See columns 1-2. The results data would be

outputted to a "space" in a computing environment.

In reference to claim 45, Ballantyne teaches outputting the XML data on a

display device. The results data would be outputted to a "space" in a computing

environment.

Claim 48 is rejected under the same rationale used in claim 1 above.

Claims 53-56 are rejected under the same rationale used in claims 14, 15, 16,

and 17 respectively above.

12.   Claims 3-5, 19, 25-26, 36, 46-47, and 57are rejected under 35 U.S.C. 103(a)

as being unpatentable over <u>Ballantyne et al.</u>, US 6,687,873 B1, 2/3/04 (filed 3/9/00)

in view of <u>Merrick et al.</u>, US 2005/0166209 A1, 07/28/05 (filed on 12/03/04,

continuation filed on 03/23/09).

In reference to claim 3, Ballantyne teaches a user can request information such

as billing statements or invoices by clicking on a web link within an email which results

in the outputting of a bill which meets the portion of the limitation, ***wherein said***

generating the results data is performed in response to the client sending a

request message. . . wherein the request message requests the service to

perform a function on behalf of the client, and wherein the function generates the

results data when performed by the service. See column 17, lines 35-67. Clicking

on a web link is sending a request message to the service to perform some function, in

this case displaying a bill, for the client from the legacy system.

Ballantyne does not expressly state the request message is in a data

representation language. However, Merrick teaches receiving a request message in

XML which meets the limitation, **the request message is in a data representation**

language. See figure 1 and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different

vendors in a format that did not require software from one vendor to be installed in

another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 4, Ballantyne does not expressly state the data

representation language is XML. However, Merrick teaches receiving a request

message in XML which meets the limitation, **the data representation language is**

XML. See figure 1 and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different

vendors in a format that did not require software from one vendor to be installed in

another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 5, Ballantyne does not expressly state the results data is

in a data representation language. However, Merrick teaches receiving a request

message in XML which meets the limitation, ***said accessing the results data from the***

service in one or more messages in a data presentation language. See figure 1

and page 10, paragraph [0104].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different

vendors in a format that did not require software from one vendor to be installed in

another vendor. See page 4, paragraphs [0028]-[0039].

Claims 25-26 are rejected under the same rationale used in claims 3-4

respectively above.

Claim 36 is rejected under the same rationale used in claim 3 above.

In reference to claim 19, Ballantyne's system can take place over a network;

however, Ballantyne does not expressly teach the client executes in one device and the

data presentation device executes in a second device.

Merrick discloses a client machine and a server machine for transmitting reply

messages in a network environment which meets the limitation, ***wherein the client is***

executing within a first device in the distributed computing environment and the

data presentation process is executing within a second device in the distributed

computing environment. See figure 1, page 4, paragraph [0037]-[0039] and page 7,

paragraph [0077].

It would have been obvious to a person of ordinary skill in the art at the time of

the invention to send XML based request messages to a server from a client, as

suggested by Merrick, within the system of Ballantyne because it was desirable at the

time of the invention to provide a means for transmitting messages from two different

vendors in a format that did not require software from one vendor to be installed in

another vendor. See page 4, paragraphs [0028]-[0039].

In reference to claim 46, Ballantyne teaches a system for reporting data from a

legacy computer system which meets the claimed ***device, comprising: a data***

presentation component. See abstract. Ballantyne discloses **a client** is presented

results data as in column 17, lines 25-67. Ballantyne further teaches a means to

access an XML schema provided by the legacy computer system (i.e. service) where

the XML schema determines how to output data from the legacy computer application in

XML format which meets the limitation *access a presentation schema provided by a service in a distributed computing environment, wherein the presentation schema includes information for presenting results data generated by the service*. See columns 3-4; column 5; column 6, lines 27-67. A service is an entity that can be used by a person, program, or another service as described on page 4 of the specification. Legacy computer systems are used to output reports such as telephone bills. See column 1, lines 23-67 and column 2. Legacy systems are used by business enterprises to output data. See column 3, lines 28-40 and column 4, lines 12-15. Thus a "legacy computer system" used by a business is a "service" because it is an entity used by a person or a program. The legacy computer system outputs report data to a customer which meets the *access the results data generated by the service*. See columns 5-6 and 17. Ballantyne teaches outputting the XML formatted data using the XML schema generated from the legacy system which meets the limitation *presenting the results data on the data presentation component in accord with the information in the presentation schema for the results data.*. See columns 17-18. Ballantyne's system comprises a service in the computing environment that generates results data (such as invoices, billing statements) prior to accessing the report data. Ballantyne teaches that businesses with legacy computer systems may output XML formatted reports that allow the business to take advantage of advances taking place in e-commerce, such as automatic bill payment. For instance, telephone customers could receive their telephone bill by email containing a web link to a site providing bill detail. See column

17, lines 37-52. The telephone customers are client and the service is the automatic bill payment provided by the business.

Although Ballantyne does not expressly utilize the term a "service", a skilled artisan would be cognizant of the fact that a computer system producing report data for delivery to a customer such as a telephone customer is a service because a service is an entity that can be used by a person, program, or another service as described on page 4 of the specification. See column 2, lines 43-67; column 3, lines 1-40; and column 4, lines 1-15. See also columns 6-7. The code generation computer systems are used to output reports via a legacy computer system such as telephone bills. See column 1, lines 23-67 and column 2. Systems are used by business enterprises to output data. See column 3, lines 28-40 and column 4, lines 12-15. Thus a "code generation system" used by a business to output reports via a legacy computer is a "service" because it is an entity used by a person or a program. Ballantyne teaches that businesses with legacy and code generation computer systems may output XML formatted reports that allow the business to take advantage of advances taking place in e-commerce, such as automatic bill payment. For instance, telephone customers could receive their telephone bill by email containing a web link to a site providing bill detail. See column 17, lines 37-52. The telephone customers are client and the service is the automatic bill payment provided by the code generation and legacy computer systems.

Ballantyne does not expressly teach the client component and service execute on separate devices in a distributed computing environment; however, Merrick discloses a client machine and a server machine for transmitting reply messages in a network

environment which meets the limitation, *a client component. . .the client component and the service execute on separate devices in the distributed computing environment*. See figure 1, page 4, paragraph [0037]-[0039] and page 7, paragraph [0077].

It would have been obvious to a person of ordinary skill in the art at the time of the invention to send XML based request messages to a server from a client, as suggested by Merrick, within the system of Ballantyne because it was desirable at the time of the invention to provide a means for transmitting messages from two different vendors in a format that did not require software from one vendor to be installed in another vendor. See page 4, paragraphs [0028]-[0039].

Regarding claim 47, Ballantyne teaches a user can request information such as billing statements or invoices by clicking on a web link within an email which results in the outputting of a bill which meets the portion of the limitation, *wherein said client component is further configured to send a message to the service requesting the results data, wherein the service is operable to generate the results data for the client in response to receiving the message*. See column 17, lines 35-67. Clicking on a web link is sending a request message to the service to perform some function, in this case displaying a bill, for the client from the legacy system.

Claim 57 is rejected under the same rationale used in claim 19 above.

13.   Claims 12, 30, and 52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Claims 8, 10, 27-28, and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Ballantyne et al.</u>, US 6,687,873 B1, 2/3/04 (filed 3/9/00) in view of <u>Sravanapudi et al.</u>, US 2001/0049603 A1, 12/6/01 (filed 3/8/01, provisional 3/10/00).

In reference to claims 12, 30, and 52, Ballantyne does not teach the presentation of report data in an audio format; however, Sravanapudi teaches a multimodal information system in which information can be delivered in a variety of formats including audio. See pages 1-3. It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate Sravanapudi's audio presentation of result information in the system of Ballantyne since it allows a user to be reached via multiple channels and also allows the user to listen to the data through a sound system. See page 1 of Sravanapudi. Sravanapudi also teaches utilizing Voice XML as a means for rendering the data as audio. It would have been obvious to utilize Voice XML in Ballantyne's XML output presentation as it is a form of the representation language used. See page 5 of Sravanapudi.

Allowable Subject Matter

14.   Claims 10-11, 23, 28-29, 41, and 50-51 are objected to as being dependent upon

a rejected base claim, but would be allowable if rewritten in independent form including

all of the limitations of the base claim and any intervening claims.

Response to Arguments

15.   Applicant's amendments and arguments with respect to claims 1-57 have been

fully considered.

Regarding claim 1, Applicant argues on pages 17-18 of the Remarks that

Ballantyne fails to teach the data presentation process and the service execute on

separate devices.

Examiner disagrees.

Ballantyne teaches two different computer systems, a legacy computer system

and a code generation system which are used to output data into XML format. The

legacy computer system accesses XML schema from a code generation system (i.e.

service) which meets the portion of the limitation, ***wherein the data presentation***

process and the service execute on separate devices in the distributed

computing environment. Specifically, a code generation system (system 14 in figure

1) interfaces with a legacy computer system (system 12 in figure 1). See column 6,

lines 10-67 through column 8.

Applicant further argues Ballantyne's system does not involve a service generating results for a client and a data presentation process accessing the presentation schema, accessing results, and presenting the results data.

Examiner disagrees.

Ballantyne teaches a method and system of outputting report data in XML format using an XML schema which meets the preamble, ***a method for presenting results data in a distributed computing environment***. See abstract, columns 2, lines 43-67 and column 3, lines 1-40. Ballantyne discloses a code generation system for generating report data to be delivered to a client such as a telephone customer which meets the limitation, ***a service in a distributed computing environment generating results data for a client in the distributed computing environment***. See abstract, figure 1, system 14, column 6, lines 10-67 and column 7. See also column 2, lines 43-67; column 3, lines 1-40; and column 4, lines 1-15. A service is an entity that can be used by a person, program, or another service as described on page 4 of the specification. In this case, Ballantyne's code generation system is a "service" in that it is used by a program to generate results data or report data based on incident reports retrieved from a legacy computer system. Ballantyne teaches two different computer systems, a legacy computer system and a code generation system which are used to output data into XML format. The legacy computer system accesses XML schema from a code generation system (i.e. service) which meets the portion of the limitation, ***a data presentation process accessing a presentation schema in the distributed computing environment, wherein the presentation is provided by the service. . .***

wherein the data presentation process and the service execute on separate

devices in the distributed computing environment. Specifically, a code generation

system (system 14 in figure 1) interfaces with a legacy computer system (system 12 in

figure 1) in order to output the data in an XML format. The code generation system

includes a mapping engine and modeling engine. The modeling engine interfaces with

the legacy system and provides report data model identifying report incidents in the

legacy system to a mapping engine which maps the incidents from the report data

model to the XML schema. By establishing this relationship between the report data

model and the XML schema, the mapping engine of the code generation system defines

a specification for modification of the legacy program applications to output the XML

data which meets the limitation, *wherein the presentation schema includes*

information for presenting results data for clients in the distributed computing

environment. Examiner note: An XML schema is a presentation schema because it

describes how to present report data for a client. See column 6, lines 10-67 through

column 8. Ballantyne teaches the code generation system generates a modification

specification in conjunction with an XML schema that defines the data structure for write

instructions of the modified legacy program applications to output XML data. The

modification specification is used to generate modified legacy code to run on the legacy

computer system where the modified legacy code is run so that the program

applications emit output from the legacy system in XML format which meets the

limitation, *the data presentation process accessing the results data; and*

the data presentation process presenting the results data for the client in

accordance with the information from the presentation schema. See column 6 and

column 7, lines 1-67.

On pages 19-22, Applicant argues claims 3-5 are not taught by Ballantyne.

Applicant's arguments have been considered but are moot in view of the new ground(s)

of rejection.

On page 22, Applicant argues claim 11 is improperly rejected. Claim 11 is now

objected to as being dependent upon a rejected base claim, but would be allowable if

rewritten in independent form including all of the limitations of the base claim and any

intervening claims.

On pages 22-23, Applicant argues Ballantyne fails to disclose the features of

claim 22 stating the client does not receive any information for accessing the

presentation schema.

Examiner disagrees.

Ballantyne teaches producing reporting data in XML format using an XML

schema based on a client request where a client clicks on an email link which meets the

limitation *a client receiving information for accessing the presentation schema.*

See columns 1-2 and 17. Ballantyne further teaches a client can click on a link in an e-

mail to request the results or report data for viewing which meets the limitation *the*

client providing the information for accessing the presentation schema to the

data presentation process. See column 17 where Ballantyne discloses a request to

receive a telephone bill from a telephone customer.

It is noted claim 22 recites "the client receiving information **for accessing** the presentation schema". In this case, when the client receives an email from which he can request a report data, the client has received information for accessing the schema because by clicking on the link which requests a report, the data presentation process can execute and access the presentation schema in order to display the report on the client.

Regarding claim 23, Applicant argues Ballantyne fails to teach the recited features. Claim 23 is now objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

On pages 24-25, Applicant's arguments with respect to claim 42 are moot in light of the new grounds of rejection.

On pages 25-26, Applicant argues claim 10 is not taught by Ballantyne because Ballantyne does not describe accessing a presentation schema advertisement when using the XML schema to modify a legacy application. Claim 10 is now objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

On pages 27-28, Applicant argues claim 27 is not taught by Ballantyne because he does not teach providing a results advertisement including information for enabling access of the results data.

Examiner disagrees.

Ballantyne teaches providing results data in the form of XML to a display device. The XML data may comprise invoices, billing statements, or any other type of report data including advertisement. Ballantyne discloses providing a results advertisement where the advertisement includes information for enabling access of the results data when he discloses sending an email from the service provider such as a telephone company with a link to a bill which meets the limitation, ***providing a results advertisement for the results data stored on the results space, wherein the results advertisement includes information for enabling access of the results data.*** See column 17. Ballantyne teaches providing report data to a display device, where a user can then access results data (i.e. billing statements) which meets the limitation, ***accessing the results data from the results space in accordance with the results advertisement***. Although Ballantyne does not expressly use the term "advertisements", the term "report data" could comprise an advertisement so long as it "advertises" a company. In this case sending an email from a telephone company comprising a link to a bill could be interpreted as an "advertisement" because it is naming the company which is advertising a company. This is a "commercial advertisement" so long as a company's name appears on the document. Further, an email sent by a company includes a link providing access to the report data is enabling access to the results data. Moreover, one of ordinary skill in the art would recognize that an XML schema could be used to describe any number of output presentations in XML format including invoices and advertisements, thus it would have been obvious to one of ordinary skill in the art at the time of the invention to produce advertisements as

"result data" since XML schema is used to produce XML formatted data. See column 17.

Applicant argues that just because Ballantyne's report data could include an advertisement does not provide a motivation; however, Examiner believes the email from a telephone company comprising a link to a bill can be interpreted as an "advertisement" because it names a company and allows access to results data.

It is noted claims 10-11, 23, 28-29, 41, and 50-51 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

In view of the comments above, the rejections are maintained.

Conclusion

16.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to RACHNA S. DESAI whose telephone number is (571)272-4099. The examiner can normally be reached on M-F (8:30AM-6:00PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doug Hutton can be reached on 571-272-4137. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rachna S Desai/
Primary Examiner, Art Unit 2176
12/01/09